IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.8911 of 1999

Dated: July 12, 2006

Between:

B. Shantha, W/o. late B. Krishna Murthy,
aged about 38 years, R/o. Mettuguda, Hyderabad.

… Petitioner

And

The Vice Chairman & Managing Director,
A.P. State Road Transport Corporation,
Musheerabad, Hyderabad, and another.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondents in not considering the case of the petitioner for employment under Breadwinner Scheme on the ground that she is not in possession of requisite qualification as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and Sri V.T.M. Prasad, learned Standing Counsel appearing on behalf of the

respondents.

3. The case of the petitioner is that her husband, who was working with the respondents, expired on 30-09-1996 while in service. Thereafter, the petitioner is said to have submitted representation dated 18-11-1996 to the first respondent seeking appointment on compassionate grounds under the Breadwinner scheme framed by the respondent corporation. The grievance of the petitioner is that the respondents have passed the order dated 25-07-1998, impugned herein, stating that as the petitioner is not in possession of requisite qualification, she is not eligible for the post of Conductor or other posts.

4. This Court by its order dated 30-04-1999 passed interim orders, directing the respondents to consider the case of the petitioner for appointment on compassionate grounds in the existing Class IV posts.

5. Though the writ petition is of the year 1999, no counter affidavit has been filed.

6. Learned counsel for the petitioner submits that no further orders are necessary in this writ petition. It is to be seen that if the case of the petitioner is to be considered under the Breadwinner scheme, she should possess the requisite qualification as prescribed by the respondents. Since the petitioner does not fulfill the eligibility criterion, no directions as sought for can be issued at this stage. However, if the claim of the petitioner was considered by the respondents and she was appointed in Class IV posts, pursuant to the interim orders of this Court, the petitioner shall be continued as per the rules applicable.

7. The writ petition is disposed of with the above observations. No order as to costs.

JUSTICE R. SUBHASH REDDY.

July 12, 2006
MRR